

Applicant(s) or Patentee(s): Timothy T. Goodnow

Application or Patent No.: Not Yet Assigned

Filed or Issued: July 16, 1999

For: A SYSTEM FOR DETECTING BACTERIA IN BLOOD,  
BLOOD PRODUCTS, AND FLUIDS OF TISSUES

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9 (d) AND 1.27 (c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of  
the concern identified below:

NAME OF CONCERN: Verax Biomedical Inc.  
ADDRESS OF CONCERN: Six Palomino Drive  
North Reading, Massachusetts 01864

I hereby declare that the above-identified small business concern qualifies as a small business concern, as defined in 13 CFR Part 121, and reproduced in 37 CFR 1.9 (d), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when, either directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled "A SYSTEM FOR DETECTING BACTERIA IN BLOOD, BLOOD PRODUCTS, AND FLUIDS OF TISSUES" by inventor(s) Timothy T. Goodnow described in

- ☒ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_



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If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

☐ INDIVIDUAL    ☐ SMALL BUSINESS CONCERN    ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

☐ INDIVIDUAL    ☐ SMALL BUSINESS CONCERN    ☐ NONPROFIT ORGANIZATION

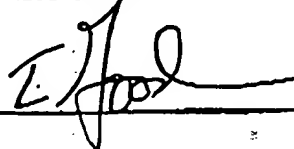
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING  
TITLE OF PERSON  
ADDRESS OF PERSON SIGNING

Timothy T. Goodnow  
Founder and Vice President, R&D  
6 Palomino Drive, North Reading, MA 01864

SIGNATURE



DATE

7/16/99

**DECLARATION AND POWER OF ATTORNEY**  
**(Attorney Docket No: 109111.114)**

As the below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe that I am the original, and only inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**A SYSTEM FOR DETECTING BACTERIA IN BLOOD,  
BLOOD PRODUCTS, AND FLUIDS OF TISSUES**

the specification of which (check only one):

- ☒ is attached hereto.
- ☐ was filed as United States Patent Application  
Serial No. \_\_\_\_\_  
on \_\_\_\_\_  
and was amended  
on \_\_\_\_\_  
(if applicable)
- ☐ was filed as PCT Patent Application  
Serial No. \_\_\_\_\_  
on \_\_\_\_\_  
and was amended under PCT Article 19  
on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of the claims of this application in accordance with Title 37, CFR §1.56(a) and §1.56(b). I also acknowledge the duty to disclose all information which is material to the patentability as defined in 37 CFR §1.56, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by us on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS  
UNDER 35 U.S.C. §119(a)-(d) or 365(b), or 365(a):**

| <b>COUNTRY</b><br>(if PCT indicate<br>PCT) | <b>APPLICATION NUMBER</b> | <b>DATE OF FILING</b> | <b>PRIORITY CLAIMED<br/>UNDER 35 U.S.C. §119<br/>(YES/NO)</b> |
|--|---------------------------|-----------------------|---|
|  |                           |                       |   |

I hereby claim benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

| <b>Application Number(s)</b> | <b>Filing Date (MM/DD/YYYY)</b> |  |
|------------------------------|---------------------------------|--|
| 60/144,442                   | July 16, 1999                   | <input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto. |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or 365(c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

**PRIOR U.S. APPLICATION OR PCT INTERNATIONAL APPLICATION(S)  
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. §120 or 365(c):**

| <b>APPLICATION NUMBER</b> | <b>DATE OF FILING</b><br>(day, month, year) | <b>STATUS: (PATENTED, PENDING<br/>OR ABANDONED)</b> |
|---------------------------|---|---|
|                           |   |   |

**POWER OF ATTORNEY:** As named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

|                       |                 |
|-----------------------|-----------------|
| James B. Lampert      | Reg. No. 24,564 |
| Wayne M. Kennard      | Reg. No. 30,271 |
| Michael J. Bevilacqua | Reg. No. 31,091 |
| Holly L. Baker        | Reg. No. 31,321 |
| Henry N. Wixon        | Reg. No. 32,073 |
| Donald R. Steinberg   | Reg. No. 37,241 |
| Wayne A. Keown, Ph.D. | Reg. No. 33,923 |

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|                          |                 |
|--------------------------|-----------------|
| Ann-Louise Kerner, Ph.D. | Reg. No. 33,523 |
| Michael A. Diener        | Reg. No. 31,122 |
| Colleen Superko          | Reg. No. 39,850 |
| Richard Goldenberg       | Reg. No. 38,895 |
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| Jason A. Reyes           | Reg. No. 41,513 |
| Rajesh Vallabh           | Reg. No. 35,761 |
| Nancy Chiu, Ph.D.        | Reg. No. 43,545 |
| Keum J. Park             | Reg. No. 42,059 |
| Janice M. Klunder, Ph.D. | Reg. No. 41,121 |

the mailing address and telephone number of each of whom is HALE AND DORR, 60 State Street, Boston, Massachusetts 02109, (617) 526-6000.

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Direct Telephone Calls to:

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Boston, Massachusetts 02109

(617) 526-6000  
(617) 526-5000 (fax)

Wherefore I petition that letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor: Timothy T. Goodnow

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_  
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Citizenship: United States of America  
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